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tion of the unity of the human race. The individual's primitive consciousness is of himself as a force. At this stage he acknowledges no law of his nature save the right of the stronger. With advancing culture he becomes aware of his humanity, and recognizes as the condition of that humanity the law of justice and benevolence. Conscience having been defined as the impulse to follow the law of one's nature, evidently the point where that law becomes transformed from the law of force to the law of justice and benevolence, is a crucial point for the theory. The two factors which the writer mentions as influential in doing away with the rules of force, namely, religious consciousness and sensuous culture (*Empfindungsleben*) seem hardly adequate without the aid of the utilitarian idea of welfare which Dr. Duboc expressly rejects. His chief objection to utilitarianism is that it substitutes the idea of welfare for that of pleasure. "Inasmuch," he says, "as utilitarianism requires the exercise of justice and benevolence, not for their own sakes, that is, for the pleasure attached to their exercise, but from the motive of self-interests, it sanctions that which has nothing to do with true morality." This is not quite fair to the utilitarian, who may acknowledge that pleasure is the motive power, and action is the result of the strongest motive, but who declares the strongest motive to be attached to the idea of welfare, while the present writer declares it to be attached to the idea of preserving the fundamental law of human nature, the law of justice and benevolence. The former goes a step further back in his explanation, but the theories are not mutually exclusive.

MARGARET WASHBURN.

Leibniz als Jurist und Rechtsphilosoph. VON DR. GUSTAV HARTMANN, ordentlichem Professor der Rechte in Tübingen. Tübingen, 1892. Laupp'sche Buchhandlung. — pp. 121.

This book is dedicated to Rudolph von Iherring on the occasion of his *Doctorjubiläum*. It is a fresh study from the original sources of Leibniz's treatment of the most important questions of Ethics and Jurisprudence. The first part of the work gives a somewhat full analysis of several of the philosopher's earlier treatises on legal questions. *De casibus perplexis in jure*, *De nova methodus discendae docendaeque jurisprudentiae*, and others. It also gives an account of his legislative projects, and without going into too great detail, brings clearly before the reader the versatility of the man and the development of his method.

The most interesting portions of the book from a philosophical point of view, are the VI and VII sections, which deal respectively with *Die Prinzipien des Rechts bei Leibniz*, and *Einfluss der Leibnizschen Jurisprudenz auf seine Philosophie*. In the first of these divisions (pp. 64-105), Professor Hartmann seeks to determine, from the various utterances of Leibniz in his many papers and letters, what must have been his real doctrine in regard to the fundamental questions of Morality and Law. Much

of the material for such a study, the author claims, has been published since the monographs of Zimmermann and Trendelenburg appeared, and he hopes to complete and fill out the outlines which they have drawn. Two points are especially emphasized in this account: (1) The harmony which Leibniz conceived to exist between the Good in itself—that which is prescribed by the *jus naturale*, and that which is useful to the individual and society; and (2) The distinction between natural and positive law. In the section dealing with the influence of Leibniz's jurisprudence on his philosophy, the author contends that it was the conception of Law, which gave his entire *Weltanschauung*, etc., its characteristic coloring. He quotes, in support of this view, a passage from a letter of Leibniz to the Herzog Johann Friedrich of Hanover, in which he expressly states that it was his investigations in the field of jurisprudence which had led him to his doctrine of substance. The legal notion of the retributory nature of punishment demanded the freedom of the will, for which a different view of the individual and of the world was necessary from that adopted by Spinoza. "For one who had always employed the conception of end in the domain of Law and of Spirit it was a necessary postulate that the strict mechanical laws according to which the phenomena of the material world are explained should harmonize with the principle of end, and be themselves founded on the most general teleological conceptions" (p. 117). J. E. C.

Berkeley's Three Dialogues between Hylas and Philonous. With an Introduction and Notes by SATISH CHANDRA BANERJI, M.A. Calcutta, Hare Press, 1893. — pp. lx. 134.

This edition of *Three Dialogues between Hylas and Philonous* has especial interest as coming to us from India, and as the work of a graduate of one of the Indian colleges. In itself, too, the book is doubly welcome; for these Dialogues are the simplest and most entertaining form in which Berkeley presented the principles of his Immaterialism, and they have not been included by Professor Fraser in his *Selections*, nor, so far as I am aware, have they hitherto existed in a form convenient for class use. The editor of this book merits our thanks for doing for these *Dialogues* what Professor Fraser did for the *Principles* and the other writings of Berkeley contained in the above-mentioned work. Besides the text, the book contains an introduction of fifty pages, and explanatory notes. The Introduction sketches the main facts of the philosopher's life, and traces in outline his historical relations to his predecessors, as well as his kinship with Leibniz and Kant—the former of whom, by the way, he refers to as "the philosopher of Leipzig." The Introduction also gives an exceedingly good analysis of Berkeley's most important treatises, and attempts to exhibit the later phases of his thought as shown in *Siris*. While there is nothing distinctively new in these pages, they yet furnish a first-rate exposition of Berkeley's doctrines, and suggest as well the weak point of the system.